

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HWISEUNG NETWORKS AMERICA, CORP.,

Plaintiff,

-v-

SELIM TEXTILE, INC., et al.,

Defendants.
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USDC SDNY
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10 Civ. 6328 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On August 24, 2010, the Court granted plaintiff's ex parte application for a temporary restraining order ("TRO"). At a hearing on September 8, 2010, counsel for both parties presented arguments concerning the modification of the order, and the Court accordingly modifies the TRO as follows.

(1) On August 23, 2010, two of the defendants - Selim Textile, Inc. and Selim America, Inc. - filed for relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101, et seq. As the automatic stay provisions of 11 U.S.C. § 362 preclude plaintiff from proceeding against these defendants in this Court, and as the Bankruptcy Code effectively freezes debtors' assets in any event, the Court lifts the TRO to the extent it is directed to Selim, Textile Inc. and Selim America, Inc.

(2) The Court also lifts the TRO as to defendants Keystone Textiles, Inc. and Globiz Clothing USA, Inc. with respect to any assets they may have belonging to Selim, Textile Inc. and Selim,

America, Inc., as those assets are also subject to the bankruptcy courts' oversight. However, if defendants Keystone Textiles, Inc. and Globiz Clothing Inc. possess any assets belonging to defendant June Yong Kim, those assets remain frozen by order of this court.

(3) Defendant June Yong Kim has requested that he be permitted to pay normal living expenses. The Court grants this request and permits defendant June Yong Kim to expend up to \$9,600 per month for living expenses.

(4) Defendant June Yong Kim has also requested that he be permitted to pay legal fees and expenses incurred by reason of this action. The Court permits defendant June Yong Kim to pay defense counsel a \$20,000 retainer fee at this time, without prejudice to further applications.

In all other respects, the TRO remains in effect.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
September 8, 2010